

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

LG. PHILIPS LCD CO. LTD, :
: Plaintiff, :
: v. : Civil Action No. 05-292-JJF
: TATUNG COMPANY, TATUNG COMPANY :
: OF AMERICA, INC., CHUNGWHA :
: PICTURE TUBES LTD., and :
: VIEWSONIC CORP., :
: Defendants. :
:

O R D E R

WHEREAS, Defendants filed a Motion For Partial Summary Judgment On Invalidity Under 35 U.S.C. § 112 Second Paragraph (D.I. 300) seeking partial summary judgment of invalidity of claim 18 of the '002 patent;

WHEREAS, Defendants filed a Motion For Partial Summary Judgment On Invalidity Of Claims 3-6, 14-17, 21-24 And 32-35 Due To Indefiniteness (D.I. 302);

WHEREAS, Defendants filed a Motion In Limine (No. 12) Precluding LPL From Any Reference To Claim 18 Of The '002 Patent (D.I. 304);

WHEREAS, Plaintiff has indicated that it will pursue its infringement case only with respect to claims 1 and 8 of the '002 patent and has executed a Covenant Not To Sue with respect to all other claims of the '002 patent (D.I. 370);

WHEREAS, the Court concludes that there is no longer any case or controversy with respect to any claims of the '002 patent other than claims 1 and 8;

NOW THEREFORE, IT IS HEREBY ORDERED that:

1. Defendants' Motion For Partial Summary Judgment On Invalidity Under 35 U.S.C. § 112 Second Paragraph (D.I. 300)

is DENIED as moot;

2. Defendants' Motion For Partial Summary Judgment On Invalidity Of Claims 3-6, 14-17, 21-24 And 32-35 Due To Indefiniteness (D.I. 302) is DENIED as moot;

3. Defendants' Motion In Limine (No. 12) Precluding LPL From Any Reference To Claim 18 Of The '002 Patent (D.I. 304) is DENIED as moot.

July 19, 2006
DATE


UNITED STATES DISTRICT JUDGE